

REMARKS

By this Amendment, claims 16 and 36 are amended and claims 41-57 are added, leaving claims 17-35 and 37-40 unchanged. Claims 1-15 were canceled in an earlier Amendment.

On page 2 of the Office Action, claims 16-20, 22, and 27-30 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,053,693 issued to Ringdahl et al.

Claim 16 is hereby amended, and calls for:

A wheelchair lift comprising:
a platform for carrying a passenger;
a lifting mechanism secured at one end to a vehicle and at the other end to the platform adjacent to an inboard end of the platform for moving the platform between a ground level position, a transfer level position and a vertically-stowed position, wherein the lifting mechanism comprises a vertical arm secured adjacent to the inboard end of the platform, the platform pivotable about an axis on the vertical arm;
a plate pivotally connected to the inboard end of the platform and moveable between a raised barrier position and a lowered bridging position;
a first linkage extending between a location on the vertical arm of the lifting mechanism and the platform for moving the platform from the transfer level position to the vertically stowed position; and
a second linkage extending between the plate and a location on the first linkage for moving the plate between the raised barrier position and the lowered bridging position, wherein the lifting mechanism is movable to transfer force from the lifting mechanism to the platform to pivot the platform.
(Amendment marks not shown).

In contrast, the collapsible powered platform disclosed by Ringdahl has upper and lower lifting arms 334, 336 and a beam 340 (part of the assembly compared by the Examiner to the lifting mechanism of claim 16) used to raise and lower a platform 308, and link arms 368, 370 (part of the assembly compared by the Examiner to the first linkage of claim 16) used to pivot the platform 308. Clearly, none of the elements identified as being comparable to the claimed lifting mechanism perform a function of pivoting the platform 308. Instead, a motor 348 and link arms 368, 370 perform this function in the cited Ringdahl device. Furthermore, Ringdahl provides no teaching or suggestion regarding a relationship between a lifting mechanism with vertical arm, first and second linkages, and a platform of a wheelchair lift as claimed in amended claim 16, fails to provide any motivation

regarding why such a relationship would be desirable, and fails to teach or suggest how the Ringdahl device could be modified to have such a structural relationship between these parts while still providing a functioning device.

Accordingly, for other reasons not discussed herein, and in light of other features and elements of amended claim 16 patentably distinguishing amended claim 16 from Ringdahl, the Applicants respectfully request withdrawal of the 35 U.S.C. §102(e) rejection of claim 16.

Claims 17-30 are each ultimately dependent upon amended claim 16, and are allowable based upon amended claim 16 and upon other features and elements claimed in claims 17-30 but not discussed herein. Withdrawal of the 35 U.S.C. §102(e) rejections of claims 16-20, 22, and 27-30 is therefore respectfully requested.

On pages 2 and 3 of the Office Action, claims 31-34 are rejected under 35 U.S.C. §102(e) as being anticipated by Ringdahl, while claims 31 and 32 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,474,527 issued to Risner et al.

Claim 31 calls for:

A wheelchair lift comprising:

- a platform for carrying a passenger;
- a lifting mechanism secured at one end to a vehicle and at the other end to the platform adjacent to an inboard end of the platform for moving the platform between a ground level position, a transfer level position and a vertically-stowed position, wherein the lifting mechanism comprises a vertical arm secured adjacent to the inboard end of the platform;
- a plate pivotally connected to the inboard end of the platform and moveable between a raised barrier position and a lowered bridging position; and
- a linkage coupled to the plate for moving the plate between the raised barrier position and the lowered bridging position, the linkage extending between a location on the vertical arm of the lifting mechanism and the platform for moving the platform from the transfer level position to the vertically-stowed position, wherein the linkage comprises a telescoping member.

In contrast, the collapsible powered platform disclosed by Ringdahl has a motor 320, upper and lower lifting arms 334, 336 and a beam 340 (part of the assembly compared by the Examiner to the lifting mechanism of claim 31) used to raise and lower a platform 308, and a cam follower 390, cable

396, and cable sheath 398 (part of the assembly compared by the Examiner to the linkage of claim 31) used only to pivot a barrier 316 between raised and lowered positions. No part of the cam follower 390, cable 396, or cable sheath 398 of the Ringdahl device is used to move the platform 308 between transfer level and vertically-stowed positions as claimed in claim 31. Furthermore, Ringdahl provides no teaching or suggestion regarding a relationship between a lifting mechanism with vertical arm, a linkage, and a plate of a wheelchair lift as claimed in claim 31, fails to provide any motivation regarding why such a relationship would be desirable, and fails to teach or suggest how the Ringdahl device could be modified to have such a structural relationship between these parts while still providing a functioning device.

The wheelchair lift disclosed by Risner has a frame 20 and an electric motor and pump assembly 50 used to raise and lower a platform 40, and a non-telescoping pivoting lever 73 connected to a bridging member 78 and movable to raise and lower the bridging member 78. The pivoting lever 73 is movable to engage and disengage a pin 71 on a flange 42, 43 of the platform 40, but has no telescoping feature. In this regard, the Applicants respectfully submit that the term “telescoping” is a term that is well-understood by those in the art, and that no part of the elements identified by the Examiner with reference to the claimed linkage can fairly be considered to be “telescoping”. For example, common definitions of the term “telescope” are “to become forced together lengthwise with one part entering another as the result of collision”, “to slide or pass one within another like the cylindrical sections of a collapsible hand telescope”, or “to become compressed or condensed” (Merriam Webster’s On-Line Dictionary; <http://www.m-w.com/cgi-bin/dictionary>), none of which even loosely describe the relationship between the pivoting lever 73 and any other part of the Risner device. Furthermore, Risner provides no teaching or suggestion regarding a relationship between a lifting mechanism with vertical arm, a linkage, and a plate of a wheelchair lift as claimed in claim 31, fails to provide any motivation regarding why such a relationship would be desirable, and fails to teach or suggest how the Risner device could be modified to have such a structural relationship between these parts while still providing a functioning device.

Accordingly, for other reasons not discussed herein, and in light of other features and elements of claim 31 patentably distinguishing claim 31 from Ringdahl and Risner, the Applicants respectfully request withdrawal of the 35 U.S.C. §102(e) rejection of claim 31.

Claims 32-35 are each ultimately dependent upon claim 31, and are allowable based upon claim 31 and upon other features and elements claimed in claims 32-35 but not discussed herein. Withdrawal of the 35 U.S.C. §102(e) rejections of claims 32-34 is therefore respectfully requested.

On pages 2 and 4 of the Office Action, claims 36-40 are rejected under 35 U.S.C. §102(e) as being anticipated by Ringdahl, while claims 36, 37, 39, and 40 are rejected under 35 U.S.C. §102(b) as being anticipated by Risner.

Claim 36 is hereby amended, and calls for:

A wheelchair lift comprising a platform for carrying a passenger, a lifting mechanism secured at one end to a vehicle for moving the platform between a ground level position, a transfer level position and a vertically-stowed position, the lifting mechanism having a vertical arm extending to and pivotably secured to the platform at an axis on the platform, a plate pivotally connected to the inboard end of the platform and movable between a raised barrier position and a lowered bridging position, a linkage extending between a location on the vertical arm of the lifting mechanism and the platform for moving the platform from the transfer level position to the vertically stowed position, and an actuator coupling the linkage and the plate, wherein the actuator transfers mechanical power from the linkage to the plate for moving the plate between the raised barrier position and the lowered bridging position. (Amendment marks not shown).

In contrast, the collapsible powered platform disclosed by Ringdahl has a motor 320, upper and lower lifting arms 334, 336 and a beam 340 (compared by the Examiner to the lifting mechanism of claim 36) used to raise and lower a platform 308, link arms 368, 370 (compared by the Examiner to the linkage of claim 36) used to pivot the platform 308, and a cable 396 and cable sheath 398 (compared by the Examiner to the actuator of claim 36), wherein mechanical power is transmitted by the cable 396 from the upper lifting arm 334 to a barrier 316, rather than from either link arm 368, 370 to the barrier 316. No part of the cable 396 or cable sheath 398 transmits mechanical power from either link arm 368, 370 to the barrier 316 as claimed in amended claim 36. Furthermore, Ringdahl provides no teaching or suggestion regarding a relationship between a lifting mechanism with vertical arm, a linkage, an actuator, and a plate of a wheelchair lift as claimed in amended claim 36, fails to provide any motivation regarding why such a relationship would be desirable, and fails to teach or suggest how

the Ringdahl device could be modified to have such a structural relationship between these parts while still providing a functioning device.

The wheelchair lift disclosed by Risner has a frame 20 and an electric motor and pump assembly 50 used to raise and lower a platform 40, a lever 85 used for pivoting the platform 40, and a pivoting lever 73 transferring motion between a flange 42, 43 of the platform 40 and a bridging member 78 (rather than transferring motion directly between the lever 85 and the bridging member 78 as claimed in amended claim 36). Furthermore, Risner provides no teaching or suggestion regarding a relationship between a lifting mechanism with vertical arm, a linkage, an actuator, and a plate of a wheelchair lift as claimed in amended claim 36, fails to provide any motivation regarding why such a relationship would be desirable, and fails to teach or suggest how the Risner device could be modified to have such a structural relationship between these parts while still providing a functioning device.

Accordingly, for other reasons not discussed herein, and in light of other features and elements of amended claim 36 patentably distinguishing amended claim 36 from Ringdahl and Risner, the Applicants respectfully request withdrawal of the 35 U.S.C. §102(e) and (b) rejections of claim 36.

Claims 37-40 are each ultimately dependent upon amended claim 36, and are allowable based upon amended claim 36 and upon other features and elements claimed in claims 37-40 but not discussed herein. Withdrawal of the 35 U.S.C. §102(e) and (b) rejections of claims 37-40 is therefore respectfully requested.

Claims 41-57 are hereby added to more fully claim that which the Applicants regard as the invention.

In view of the above amendments and remarks, the Applicants respectfully submit that the claims are patentably distinct over the prior art, that all the rejections to the claims have been overcome, and that the application is in condition for allowance. Entry of this Amendment is therefore requested. If any issues remain outstanding upon entry of this Amendment, the Examiner is respectfully requested to telephone the undersigned Applicants' Representative at (414) 225-8266.

Respectfully submitted,



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